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2	UNITED STATES DISTRICT COURT		
3	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
4	OAKLAND DIVISION		
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6	NDX Advisors, Inc., NDX Capital Management, LLC, NDX Holdings, Inc., (Case No: C 11-3234 SBA)		
7	NDX Trading, Inc. and St. Croix Capital STIPULATION AND [PROPOSED]		
8	Plaintiffs, ORDER VACATING & RESETTING MEDIATION CUT-OFF DATE		
9	V.		
10	ADVISORY FINANCIAL CONSULTANTS,)		
11	INC., and RUTHE P. GOMEZ,)		
12	Defendants.		
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14	Wheness the Count Ordered Mediction out off data is summently set for June 1, 2012, the		
15	Whereas the Court-Ordered Mediation cut-off date is currently set for June 1, 2012, the		
16	general discovery cut-off is August 31, 2012 and the expert discovery cut-off is October 12, 2012;		
17	Whereas Plaintiffs NDX Advisors, Inc., et al. ("NDX"), whose counsel is located in		
18	Chicago, Illinois, and Defendants Advisory Financial Consultants, Inc., et al. ("AFC"), whose		
19	counsel is located in Menlo Park, California, have been unable to complete mediation primarily		
20	due to calendaring conflicts; and		
21 22	Whereas, NDX and AFC's respective counsel have met and conferred and believe that they		
23	will be able to complete mediation by August 1, 2012;		
24	Whereas, pushing back the deadline to mediation without changing the discovery deadlines		
25	could result in wasting of additional resources on discovery when the case may settle;		
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27	Whereas, NDX and AFC's respective counsel have met and conferred and believe that they		
28	will be able to complete general discovery by October 5, 2012 and expert discovery by October		
	2012;		

1	Now therefore, NDX and AFC by and through their undersigned counsel hereby		
2	STIPULATE AND AGREE and respectfully request the Court to order that the current Court-		
3	Ordered Mediation cut-off date is VACATED and reset for August 1, 2012, that the current Court		
4	Ordered general discovery deadline and expert discovery deadline are VACATED and reset for		
5	October 6, 2012 and October 31, 2012, respectively.		
6	SO STIPULATED:		
7 8 9	Date: May 25, 2012	By: :/s/ Andrew May Andrew May, Esq. Attorney for Plaintiffs	
10 11	Date: May 25, 2012	By: <u>/s/ Christopher Mader</u> Christopher Mader, Esq. Attorney for Defendants	
12	IT IS SO ORDERED.		
14	Dated: 7/9/12	- James B. Ormskag	
15		Honorable Saundra Armstrong	
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